



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Gerrit Cornelis DUBBELDAM

Group Art Unit: 1795

Application No.: 10/563,761

Examiner: G. MOWLA

Filed: March 8, 2006

Docket No.: 126548

For: PROCESS FOR MANUFACTURING A SOLAR CELL FOIL USING A TEMPORARY
SUBSTRATE

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the August 3, 2009 Restriction and Election of Species Requirement, the period for reply being extended by the attached Petition for Extension of Time, Applicant provisionally elects Group I, claims 1-6 and 9-14. Applicant also provisionally elects Species A. At least claims 1-4, 6, 9, and 11-13 read on the elected species and at least claim 1 is generic to all species. The above elections are made with traverse.

National stage applications filed under 35 U.S.C. §371 are subject to unity of invention practice as set forth in PCT Rule 13, and are not subject to U.S. restriction practice. See MPEP §1893.03(d). PCT Rule 13.1 provides that an "international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept." PCT Rule 13.2 states:

Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or

more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

The Office Action, at page 2, asserts that WO 98/13882 to Van Andel, et. al ("Van Andel") discloses a solar cell unit that allegedly anticipates or renders obvious the special technical feature that is common to claims 1-14. The Office Action further asserts that U.S. Patent No. 5,637,510 to Morikawa et. al ("Morikawa") allegedly discloses the special technical feature of an etch resist (*see* Office Action, page 3) common to Species A and Species B. However, for at least the reasons below, Applicant respectfully submits that the Office Action fails to establish that each special technical feature of claims 1-14 is disclosed by the above references

For example, the present claims are directed to a process for manufacturing a solar cell foil and a solar cell foil comprising, *inter alia*, protective caps on the interconnect between the front and the back electrodes. Such protective caps, further characterized as being comprised of a material different from that of the interconnect, are formed by retaining portions of the temporary substrate employed during the manufacturing process. *Id.*

In contrast, Van Andel discloses a method for manufacturing a photovoltaic foil comprising one step of providing a temporary substrate (Van Andel, page 3). Van Andel goes on to describe methods for removing the temporary substrate, (Van Andel, page 4; lines 27-28), preferably by means of dissolving or etching (Van Andel, page 4, lines 28-29; page 5, lines 14-16). As a result, Van Andel fails to disclose, expressly or inherently, or give any reason or rationale for one of ordinary skill in the art to have modified its photovoltaic foil in a manner to retain a portion of the temporary substrate, at the specific location of the interconnect, for the purposes of creating a protective cap. Furthermore, the Office Action

provides no reason or rationale for such a modification. Morikawa is applied as merely disclosing an etch resist and, thus, does not cure the deficiencies of Van Andel.

Based on the above, the applied references, alone or in combination, fail to disclose, expressly or inherently, retaining portions of the temporary substrate to form a protective cap, and thus do not anticipate, nor would they have rendered obvious, the special technical feature that is common to claims 1-14.

Applicants further understand, however, that upon search, examination and allowance of the elected species, search and examination will continue as to the non-elected species within the scope of the generic claims.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw the Restriction and Election of Species Requirement and to examine all of the species and claims in this application.

Respectfully submitted,



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WPB:SQL/scg

Date: September 23, 2009

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